

Ordered by the Lords Spiritual and Temporal in
Parliament Assembled, That *Hubart Bourk* and *John
Macnamara*, have hereby leave given them, to Print
and Publish their respective Informations or Narra-
tives concerning the Popish Plot formerly by them
given in at the Bar of this House.

JOHN BROWNE
Cleric. Parliamentorum.

By Vertue of the Order above mentioned I do ap-
poin *Randolph Taylor*, near *Stationers Hall*, to Print
this my Information; and that no other person or
persons do Print the same.

Decemb. 14. 1680.

HUBERT BOURK.

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HUBERT BOURK.

THE
INFORMATION
OF
Hubert Bourk Gent.
Touching the
POPISH PLOT
IN
IRELAND,

Carried on by the Conspiracies of the
Earl of Tyrone.

And others his Confederates,
To deliver up that Kingdom to the
French King, and Establish the Popish
Religion therein.

Being all matter of Fact, delivered first by this In-
formant before the Lord Lieutenant and Council
in *Ireland* in *March* 1678.

And to his Majesty and both Houses of Parliament
in *November* 1680.

LONDON, Printed for *Randolph Taylor*, and are
by him sold, at his House, near *Stationers-Hall*,

THE
INFORMATION

OF

James Bonk Gent.

Touching the

POPISH PLOT

IN

IRELAND.

Carried on by the Conspirators of the

Earl of Tyrone.

And others his Conspirators.

To deliver up that Kingdom to the
French King and English the Popish
Religion therein.

Being all matter of Fact, delivered in by the
former before the Lord Lieutenant and Council
in Ireland in March 1678.

And to his Majesty and both Houses of Parliament
in November 1680.

LONDON, Printed for Knollys Taylor, and are
by him sold, at his House next Stationers-Hall.

TO THE
High and Mighty
MONARCH
OF
Great Britain,
CHARLES
THE SECOND, &c.

May it please your Majesty,

I most humbly presume to lay at your Feet, this my true and loyal Information of the Earl of *Tyrone's* Treasons against your Sacred Person. Some there are who did ill in transgressing against your Majesty, but did well in repenting and detecting their own and the foul Crimes of others. As to the latter of these in being a Discoverer, I account my self happy: as to the former, doubly

A happy,

The Epistle Dedicatory.

that Providence gave me the means to discover without ever being disloyal. What I was, and what my Progenitors always were, I am, a true and faithful Subject to my Prince. Nor was it any other motive then my Allegiance and disdain of treacherous propositions that urg'd me to a speedy Discovery. From whence I hope I shall not offend your Majesty, if I claim that advantage to my self of being the first that openly appeared in this detection in *Ireland*, the first that cut the Knot for others to unravel the mystery of this deep Design. And I also hope the rude dress of my Information will shew how void it is of subtlety or contrivance. I must confess, I did not think to meet within your Majesties Dominions with so severe and cruel usage, for doing my Duty to my Sovereign. But so severe it was, that had I been the Guilty person, I could not have met with more, while the grand Criminal triumph'd over me in those Calamities with which his power had almost overwhelmed me. And in this Condition such was the Terror that lay upon our Friends

happy
A

The Epistle Dedicatory.

Friends, that they of equal Rank durst not afford me the Comfort of their kind Visits, nor they of superior quality appear to give me any Countenance. However, having now made my appeal to the Fountain of Justice, Your Royal self, I make no question, but the great preserver of Kings, will for your sake maintain the Innocency of my Proceedings, as being only such as tended to the preservation of your Majesty, and the detection of your secret Enemies, according to the Dictates of my Religion and allegiance. Not desiring longer to live, then while I may be able to approve my self,

May it please your Majesty,

Your Majesties most Loyal,

most faithful, and

most obedient Subject,

H O B E R T B O U R K.

The People's Petition
Friends, that they of equal Rank, do not
not afford me the Comfort of their kind
Visit, nor they of superior Quality ap-
pear to give me any Countenance. How-
ever, having now made my appeal to the
Fountain of Justice, Your Royal self, I
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servers of Kings, will for your sake main-
tain the Innocency of my Proceedings,
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servation of your Majesty, and the de-
fection of your secret Enemies, according
to the Dictates of my Religion and alle-
giance. Not desiring longer to live, than
while I may be able to approve my self

May it please your Majesty,

Your Majesty's most humble

most faithful and

most obedient Subject,

ROBERT FORK

most of his time at one Major John Batts House
INFORMATION

This Major Batts living within a Mile and a half
of the Earl of Yorks, was wont always to visit
the said James House twice a Week and further
Hobert Bounk

to go every Week once or twice to the said
Batts House, and to be present for Mr.
for Batts, if not for this Informant too: By which

The Popish Plot
ly allowing this Informant the Honour of his
Company when he was playing at
Tables, or sometimes to read with him, and in such like
Fishing with him, and in such like
Pastimes wherein his Lordship most delighted: Be-
cause

THE Popish Plot
T H E S O N and Heir apparent of the

late of **John Batts** late of **York** in the County of **York**
that after his said Father
deceased his said Mother lived with an
Informant, with whom this Informant lived until he
was able to Practice for himself, which he did
and the Informant followed until he was
and died, as the said passing will declare.
This Informant going into the County of **Warr**
about five years ago to visit some Relations
of his, was by them earnestly courted and desired to
stay with them in the said County of **Warr**, in
regard he the said Informant was a single person and
for that there was greater employment and business
to be had for an Attorney in that County than in the
County of **York**, by which he was persuaded and con-
vinced that this Informant was pre-
ferred to be Attorney in that County, and full of
that

(1)
vailed upon to stay with them; and after that spent most of his time at one Major John Butlers House, at Grebrough, who was married to a Kinswoman of this Informants.

This Major Butler living within a Mile and a half of the Earl of Tyrone's, was wont always to visit the said Earles House twice a Week, and thither I must needs be in his Company. As long it came to that pass, that if he, or this Informant, failed to go every Week once or twice to the said Earles House, then there was a Letter sent for Major Butler, if not for this Informant too: By which means the Informant grew familiar and well acquainted with the said Earl, his Lordship frequently allowing this Informant the Honour of his Company when he went a Hunting, or play'd at Tables, or sometimes to read *Irish*, sometimes to go a Fishing with him, and in such like Exercises and Pastimes wherein his Lordship most delighted: Besides this, the Informant was appointed Deputy-Secretary to his Lordship, in which Employment he continued for the Space of two years and a half, or thereabouts, and so might have done till this time, if the Informant had kept his Lordships Secrets in Relation to the Plot. This Informant further saith, That he was seldom or never in the said Earles Company, but he and Major Butler would always be talking of high matters, praying for the French Kings prosperity, and discoursing how little *England* and *Ireland* would be in his hands, if he would but come amongst them, and saying further, That the *English* were good Souldiers in their Tongues, but a Cup of Ale, with long Pipes of Tobacco in their Mouths, but that they were too tender now to be in the Fields after thirty years rest, and that they were so Foggy, so Fat, and full of Guts, that

that they were not able to fight any better than a company of Swine; and that he the said Earl, with three hundred French or Irish, of his own choosing, would undertake to rout and break a thousand of them.

And this Informant says further, That if he should go about to take notice of all the Treasonable passages and words that were spoken by the Earl of Tyrone, Major John Butler, Father James Power, Father John Power, Father Robert Power, and Father Patrick Ronsay (the Earl of Tyrone's Parish Priest) who were altogether most commonly at the said Earl's House, contriving of Plots, or preaching their Treasonable Lectures, relating thereunto, he could be able to make up, together with what the Informant mentions here, a large Volume.

This Informant further saith, That he hath observed, that John Power, and Dynough Macnemarrab, came very often to the Earl of Tyrone's House, and went from thence, into the Counties of Tyrerady, Limerick, Clare and Galloghly, and in a short time returned again very Brisk and Gay, well Hors'd and Armed, with their Cases of Pistols themselves, their men, and their followers.

These two Gallants are both Papists; the one of them John Power, that kill'd (as they say) the Lord Mount, and fled into Ireland, and the other a Soldier of Fortune, that had left the French Service in discontent. Both Persons of no Estates, nor any other concerns in any of the Counties aforesaid, as the Informant has reason to believe, but only to ride about upon Messages from the Earl of Tyrone in reference to the Plot.

The Informant further saith, That he hath seen and observed the Intelligencers that were sent by the Earl of Tyrone to the several Counties, viz. Pierce Power, alias Pierce, and Grenane to the Counties

ties in *Gloucester* and *Galloway*, and *William French* into a
 another part of the said County of *Clare*, whose
 answers to any that questioned them, were, that
 their business was to order and settle the Earl of
Anglesey's chief Rents, having had but very little or no
 thing to do formerly in either of those two Coun-
 ties. *Lawrence Sullivan* was employed to the
 County of *Kerry*, and *William Butler* employed by
 his Brother, Major *John Butler*, or the Earl of *Jor-
 tuz*, into the County of *Wexford*: All these Messen-
 gers were constantly employed upon Messages in
 the Months of *May*, *June*, *July*, *August*, *Septem-
 ber* and *October*, 1678. In which Month of *October*,
 the Informant was also sent for to joyn in the said
 Plot by the Earl of *Tyrone*, in reference whereunto
 to I shall here give a Relation of what passed be-
 tween his Lordship and this Informant, as fol-
 lows. The Informant being at a place in the County
 of *Waterford*, called *Kill* Mr. *Thomas*, in company of
 one *Richard Power*, Gent. on the last day of *Octo-
 ber*, 1678. which was of a *Fryday*, and being then
 at Breakfast, one *Thomas Samson*, Gent. and Scur-
 ward to the Earl of *Tyrone*, came into our Compa-
 ny, who after Breakfast was over, spoke to the Infor-
 mant in these words; *Mr. Bourk, my Lord and Ma-
 ster desired me to pray you to come to him to Corough-
 more, this night, or to morrow following, telling me he
 had some earnest business to speak with you, about his
 undertaking, which I know not.* The Informant told the said Mr. *Samson*, that he
 the Informant had been at that house in *Kill* Mr. *Tho-
 mas* at a Sheriffs Court all the day before, and that
 his horse was either stayed or stolen, and further
 told the said *Samson*, that if the Informant thought
 that his Lordships sending for him was of any con-
 sequence or haste, he the Informant would hire a
 Horse

Horse to wait upon his Lordship that night. The said *Samson* answered, He did not know what the matter was, but that was the Message which his Lord bid him deliver.

Mr. Samson was but then newly come to my Lords Service, so that he having summoned a Court-Baron at *Kill Mr. Thomas* afore said that day, where the Informant was to appear as Attorney for the Earl of *Tyrone* in a Cause depending in that Court, betwixt the said Earl and some of his Neighbours and Tenants, concerning certain Trespasses, it behoved this Informant to stay till the Court was discharged. But that being done, this Informant hired a Horse and went with the said *Samson* to my Lords House. So soon as this Informant arrived there, this Informant was given to understand that his Lordship was at Supper with Strangers, but returned his thanks to the Informant for travelling so far in a dark night to visit his Lordship, and withall to desire this Informant to come to his Lordship the next Morning: Which accordingly this Informant did, being the first day of *November, 1678.*

This Informant attending his Lordship upon the Morning already mentioned, his Lordship had the Informant welcome; after which his Lordship asked this Informant, *What News?* This Informant answered, he presumed his Lordship had the best Correspondency of any on that side the Country, and that for the Informant's part he had none worth his Lordships hearing. His Lordship then told the Informant that he had received Intelligence out of *France*, wherein he understood that the *French* were very powerful, and that *Parlez vous Francois* should be plentifully heard here (meaning in *Ireland*) ere long. This Informant asking his Lordship what great Exploits the *French King* hath done? *Done*, says he, *he hath done wonders, and we may without doubt call him the Defender*

of the Faith, for he best deserves it, and I am sure the Hand of God is with him. This Informant told his Lordship, that a man would be apter to think, that if the French were intended that way, he would rather venture upon England first, than come into Ireland. His Lordship answered he had received a Letter from one Robert Power, who studied the Law at one of the Inns of Court in London, which declared that the French had a great Stroke in England already, and then said his Lordship to this Informant, before you are half a year older the French will subdue England and Ireland, and little harm thereby. For they in England have no Faith in them; for they no sooner grant a thing, but they recall it again; just as they have dealt with me about the Lands of Deane. But, said he, before they enjoy it, by Gode I will lose the best Blood in my Body. The Informant was astonished to see in what temper his Lordship was; yet told his Lordship, That if the French should come there, they would kill all us that were the poor Subjects. His Lordship answered, As for that, said he, I have made my Conditions for this side of the Countrey; and if you will but joyn with me, I will put you in a quick way to get an Estate. The Informant told his Lordship, That he wanted it, but could not tell how to come at it. Then his Lordship drew out of his Pocket a great quantity of Papers rolled up, and desired the Informant to subscribe his Name in one of those Papers, wherein upon a sudden glance, the Informant could read the Names of Paul Strange, Richard, and John Power; and as this Informant verily believes, there were the Names of above a hundred Subscribers in all. This Informant desired his Lordship to excuse him for the present, alledging, That he was not fit to be employed in Matters of such high concernment, and the Informant said further, That he never heard of any of his Name that had ever proved

Traytors

Traitors to their Kings and that he, this Informant,
 would not be the first. With that his Lordship cal-
 led this Informant forward and drew his Sword al-
 most out of his Scabbard to kill the Informant. But,
 as God would have it, his Lordship espied a Gentle-
 man coming towards him, who was Sir John Poffy's
 Son. Upon which his Lordship went to salute him,
 and left me. However, after he had walked with him
 upon his Horse, his Lordship went himself to the
 Bridge of Corroghmore before the Informants habo and
 called forth one William Pomer a Broag-maker and
 commanded him in all haste to go and bring him
 John Daniell to inform against this Informant, for that
 this Informant had struck the said Daniell half a year
 before, though the Business amounted to no more
 than two slight Blows with this Informants bare
 Hands, in the Informants own defence, and for which
 the said Daniell had released the Informant the next
 Morning after he had struck him, before four Wit-
 nesses. However, at my Lord's Command, the said
 Daniell came to Corroghmore, and was forced to in-
 form against this Informant for the said Battery, his
 Lordship threatening the said John Daniell, that he
 would crop his Ears, if he did not inform against the
 Informant. Thereupon, upon the said Daniell's Ac-
 cusation, this Informant was disarmed, and by a
 Mittimus from the said Earl was to be sent to the Gaol
 of Waterford; but it being Saturday late at night, the
 Constable took the Informant's word to meet him at
 a certain Place on Monday following. In the mean
 time the Informant procured Bail and brought them
 to Corroghmore, to his Lordship's House; but his
 Lordship refused to take any Bail for the Informant,
 and moreover ordered, that if the Constable made
 any delay to obey his Warrant, and did not go forth-
 with with the Informant to Waterford, he would send
 the Constable to Gaol too. And more than that, his
 Lordship

Lordship sent to the several Justices of the Peace himself, that they should not bail the Informant upon any account. His Lordship said further, *That if the Informant did not stand in Gaol, he would hang him the next Assizes.*

By the way, as the Informant was going towards *Waterford*, the Informant writ a Letter to *William Smith Esq.* desiring him to speak to my Lord to take Bail for the Informant. My Lord, at his Request, promised the said *Mr. Smith* he would; but when it was brodded, he would take none. Then, since it could not be avoided, the Informant was put into *Waterford Gaol*, about the beginning of *November*, and there remained until the Fourteenth of *March* following; during which time, the Informant wrote Five Letters to his Grace the Lord Lieutenant of *Ireland*, complaining of the hard Usage he had received, and containing what further he had to say as to the Plot: Of which Letters, two of them were sealed by the Recorder of *Waterford's* Lady, because there was neither Fire or Candle allowed where the Informant was kept: But neither of those two, nor of three more, the Informant could ever have an Answer; so that either they miscarried, or were taken up at the Postmaster's Office in *Waterford*: for it seems the Lord Lieutenant received none of them, as his Grace was pleased to tell this Informant afterwards.

As to the rest of my Condition, it was such, that if any body out of Friendship came to see this Informant, he durst not come the second time, for fear of the Earl, or purchasing his Indignation. At length came the Assizes, and then the Earl of *Tyrone's* Servants, viz. *Thomas Samson* his Steward, *Thomas Cowdall* his Solicitor, and *William Buckner* his Attorney, went to work with great eagerness against the Informant, in ordering an Indictment against the Informant, and brought the said *Daniell* to prove it: But the

the Informant traversed the said Indictment, and was acquitted by the Jury. Upon my Acquittal, the Judges, finding that there was something more than ordinary in the matter, and wondering that a Man of the Informants Capacity should be kept four Months in Gaol, without Bail, for only striking another Man in his own defence, began to inquire a little further into the matter; whereupon the Informant gave them his Information in Writing, upon which, Sir William Davis, one of the Judges, advised the Informant to stay in Gaol three or four days longer, and that he would send to Dublin for a Messenger, to have the Informant brought before the Lord Lieutenant and Council.

The further Examination of Robert Boyle, who said, That after he was discharged at Waterford from the hearing of John Daniell, he was sent for by the Lord Lieutenant and Council, to appear before his Grace and the Council, to give Evidence for the King concerning the Designs of the Earl of Tyrone, which was the Informants chief aim and desire. In short, a Warrant was given to a Messenger, directed to the Sheriff of the County of Waterford, commanding him to send the Informant well guarded to Killybeg, where he should be relieved, and a fresh Guard be appointed for safe Conduce of the Informant; but instead of a good Guard, the Sheriff aforesaid, William Dobbin by name, being a great Friend to the Earl of Tyrone, and knowing that the Informant had impeached the said Earl, sent only two of his Livery Boys along with the Messenger as Guards, and Cords to tie the Informants Legs under the Horses Belly, which was done accordingly.

At length the Informant coming to Dublin, was examined by Sir John Davis Secretary of State, who told the Informant, that he knew the Earl of Tyrone so well, that he would not believe any thing the In-

D

formant

Informant should say of him; and would often say to the Informant, *Pray answer me, Mr. Bourke, and let us have your telling of Stories*; of a few purpose to put the Examinant out of the way of telling the true Concepts of his Information. For as for this Informant, he could not add or diminish from what he had delivered to Sir William Davis at the Assizes in *Waterford*; but Sir John's intent was to see whether he could catch the Informant in any disadvantage, or derogation from what he had delivered in Writing, as aforesaid. But for all this, the Earl of Tyrone was confined to his Chamber, and afterwards, gave Bail to answer the Informants Challenge at the *Kings Bench* the next Term, which was *Easter Term*; at what time this Lordship and this Informant were both to appear. In the mean time the Earl made it his business to make the Informant the greatest Rogue in the World: all to which purpose, he was changed by the said Earls People, viz. his Attorney Mr. Burke, his Solicitor *Thomas Conall* and one Mr. Gust Dwyer, Clerk of the Assize for *Munster*. Concerning which Person brought said Indictment against the Informant, consisting of a false view of the County of *Down*; which, as they pretended, was about three years before. But as the same was but a mere Concoction, so it was found upon trial by the Judges of the *Kings Bench*; thereby to render the Informant infamous, that his Evidence against the said Earl might be of no value. When they could not prevail against the Informant by this means, the Earl of Tyrone gave Bail to answer the Informant at *Waterford Assizes*; which next ensuing, hoping still that time among his Friends and Relations to find some other means to ruine and destroy the Informant.

Note. That this *Thomas Conall* was a Servant to *Robert Barker*; that sent the Letter to the Earl of Tyrone, which Letter was mentioned in my first Information;

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mation; and Mr. Cartie was a Person who was under Promises to discover all Secrets to the Earl of Tyrone, that he knew as a Clerk of the Assize. But this Informant being bound to appear in *Waterford*, to prosecute the said Earl at his own Door, and amongst his Tenants and Relations, the Informant thought it a very hard Task; and besides all this, he was terrified from appearing there, by several People, who told the Informant, That he must never look to return from thence in safety, in regard the said Earl had procured his own Clause to be Judge of the Assize, and his own Tenants and Relations to be Tryers of the Matter of Fact, in his own Country. So that this Informant finding himself in such danger of his Life, chose rather to hazard his Renouissance, and the forfeiture of his Bonds, than to run into apparent peril of his Life, which he understood was both ingenly and craftily sought for. Yet for all these Threats, before the Tryal came on, this Informant did go to *Waterford Assizes*, but finding the Earl of Tyrone, and his Cousin Lieutenant *Thomas Power*, at Supper with Chief Justice *Keeling* and Sir *Richard Reynolds*, and understanding that they Lodg'd and Dieted in one

one House, and at one Table, this Informant then began to think it was in vain to expect any favour. Which, together with the Warning and Notice that was given him, this Informant, in Waterford, That if he opened his Lips against the Earl of Tyrone, he must not think to sleep the Night following, unless he slept to Eternity, absolutely daunted the Courage of this Informant. Nor was this all; for he wanted also the Assistance of John Macnamarrab, his Chief Testimony, who by Promises of Rewards from the said Earl, was secured from appearing in this Informants behalf, and at the same time also, neither Mr. Samson appeared to bring in his Testimony, nor Mr. Ivis his Assistance, who I knew could both of them discover much of the Matter: nor had this Informant any Power from the Court to bring them in. All which were the Causes why this Informant left the Court, and absented himself, thinking it would be better to appear at the Kings Bench, by which time he hoped to get sufficient Authority to bring in the forementioned Persons to his Assistance.

Yours at supper with Chief Justice Rogers and Sir Richard Anderson and under-
standing that they lodged and dined in

In order thereunto the Informant wrote a Letter to the Judges then in *Waterford*, that the Informant was not then prepared to proceed, in regard the Witnesses were not brought in, nor any care taken to bring them in. But the Informant fearing that the Letter should not be delivered, and not daring to go to the Judges Chamber, by reason of the Earl of *Tyrones* being there with them, and his Friends and Servants about him, the Informant was resolved to venter into the Court. But he was no sooner within the Door when the Chief Justice *Keating*, as the Informant believes, or if not he, some Body else, called to the Goaler to take the Informant into Custody, which so affrighted the Informant, that he made all the hast he could back again out of Court, and was presently followed with such a Hue and Cry after him by the Goaler, Constables and Bailiffs, that he was glad to slip privately into one Mr. *Fullers Tan-Huse*, without the Gates of *Waterford*, and there to stay all that Night. In the mean time the Goaler goes where the Informants Horse stood, and told the People he was ordered by the Judges to secure the said Horse. The next Morning by break of Day this Informant hired a Boat to Ferry him over to the Slip-house on the other side of the River in the County of *Kilkenny*, and went to one Mr. *William Wilkinsons* house an Inkeeper, who about 4 a Clock in the afternoon, told this Informant that it was not safe for him to be there, in regard there was such a strict enquiry made for him in *Waterford*. Whereupon the Informant departed from thence, intending to have gon to attend his Grace the Duke of *Ormond*, who was then in *Kilkenny*, to acquaint his Grace with the Judges proceedings in *Waterford*.

In the way as this Informant going a Foot, above two miles onward in the Road to *Kilkenny* aforesaid, one *Major Richards's* Coachman overtaking this Informant, and knowing him, rode before to an Alehouse, and there wrote a Letter to the Earl of *Tyrone's* Coachman, giving him notice that this Informant was going towards *Kilkenny* aforesaid, and desiring him to tell the same to my Lord *Tyrone*. The writing of this Letter being by chance discovered by this Informant, caused him to leave the Road, and to turn four miles out of the way to *Kilkenny* and make hast to a place called *Gurteenes*, where he staid four or five days, until *John Macknamara*, who had discoursed the matter with the Earl of *Tyrone*, sent the Informant a Letter in which he gave this Informant to understand, that the said Earl had sworn and damn'd himself to Eternity, that he owed the Informant no ill will at all, praying this Informant to come to the said *Macknamara's* house. But this Informant being afraid of the Earl, and not daring to trust him, sent the said *Macknamara* word, that he would not come. However this Informant writ a Letter in few days after, to the said *Macknamara* for his Portmantle, Lynnen and other things which were at his house, who sent the Messenger back without the Lynnen, &c. but with a Letter, wherein he mentioned, that he would meet the Informant next morning at *Waterford*, and bring his Lynnen with him, and that he had several things to impart to the Informant concerning or from the Earl of *Tyrone*, which he durst not write. Thereupon the Informant did meet the said *Macnamara*, together with his Wife and Father in Law, *Teige Funnican*, at Mr. *Carties* house; being met, this Informant told the said *Macnamara*, that he was ready to take Shipping for *England*. To which the

the said *Macnamara* said, do not trouble your self any further, for I will get you a good consideration and liberty to stay at home. The aforesaid *Finnican* also promised this Informant Twenty Shillings in Money, and his share of a Barrel of Bear, and his Horse to ride upon, upon condition the Informant would alter his mind and go home with them that Night. *Macnamara*, further said, you are not in condition to Travel at present, meaning for *England*, and told me it would be better to stay till I were better provided. And thus they flattered the Informant with them home, though he well understood it was still upon the Earl of *Tyrone's* account that they so friendly invited him. Within two days after the Informant's coming to *Macnamara's* House, the said Mr. *Macnamara*, went to the Earl of *Tyrone's* House, and informed his Lordship, that he had the Informant at home. The said *Macnamara*, also told this Informant at his return from the said Earl, that the said Earl presented his service to him this Informant; and desired him to give Major *John Butler*, and Mr. *John Ronane* a meeting at a certain place, in order to an agreement betwixt the said Earl, and this Informant. All which things this Informant imparted to Mr. *Ivie*, then living in the same Town with *Macnamara*. Mr. *Ivie*, desired the Informant to be very wary, for fear they should entrap him. Upon which this Informant told Mr. *Ivie*, he would go and see what they would be at. In order to which resolution, Mr. *Macnamara*, and this Informant went, and met Major *Butler*, and Mr. *Ronane*, about four Miles from M. *Macnamara's* House; at a publick Ale House. Where, discoursing the matter together, the said Major *Butler*, desired this Informant, to desist from
troubling

troubling of the Earl any more, upon which consideration, the said Earl would give this Informant a good Farm and Stock ; and he should have his Lordships favour more then ever he had shewed him before. He desired this Informant also, to nominate any sum of money that this Informant pleased, so that he did not exceed a thousand pound, and he the said *Butler* would be bound for the payment of it ; on condition, that this Informant should say, that *Squire Villiers*, *Captain Nichols*, *Mr. May*, *Mr. Bradley*, *Mr. Peter Anthony*, were his Promoters and Abettors in this Discovery and Design against the said Earl. To which the Informant answered, that neither of the Parties mentioned, ever spoke a word to him in their Lives, or if they had, he would not have been prompted to do any unjust Action by any of them all. And this Informant told the said *Butler*, that he never charg'd the said Earl with any thing but what his Lordship was pleased to tell and shew him himself. Thus after they had kept the Informant a whole day to entice him with proffers of that kind, and seeing they could not prevail. Major *Butler* sent *Mr. Ronan* home to the Earl of *Tyrone*, and Major *Butler* himself returned along with the Informant and *Macnamara*, back to *Macnamara's* house, where the said *Butler* and the Informant lay together that night.

The next day, this Informant acquainted *Mr. Ivis* with all the Discourse, at the aforesaid Meeting, and with the proffers made to this Informant, and then again this Informant was resolved to go for *England*, but *Mr. Ivis* told him it was not safe to go before he had the Lord Lieutenants pass : which put this Informant to another stand, in regard he did not know what to do for want of a conveniency to apply himself

himself to the Lord Lieutenant, and being also afraid to go alone. In these perplexities this Informant then went to *Waterford*, where he met with one of the Earl of *Tyrone's* Servants, by name *John Whelane*, who told him, that it was well for him, that he was so wise as to run away from the Assizes, for if he had stayed, the Judges were resolved, at least, to have cropped this Informants Ears; and further, Mr. *Wilkinson* the Innkeeper aforesaid, told the Informant, that the Judges were resolved to have taken him along the Circuit with them, and to have got some body to have sworn something against him that might have amounted to the taking away his Life. The Informant then wrote a Letter to the Earl of *Orrery*, which the aforesaid Mr. *Ivie* promised to deliver to the said Earl, the said *Ivie* having some occasions of his own into those parts; which Letter the said *Ivie* read before it was sealed: the Contents of which Letter were, to pray the Earl of *Orrery* to send for, and examine the aforesaid *Sampson*, who was then at *Tongball* near the said Earls house, and to write to the Lord Lieutenant with a Request to his Grace, to send for the said *Sampson*, Mr. *Ivie* and the Informant. But Mr. *Ivie* was so very busy in getting in his Harvest, that he could not go so soon as he intended to the Earl of *Orrery*, and so that Letter took no effect.

In the mean time, the Earl of *Tyrone*, finding he could not by Bribes or otherwise, prevail with the Informant to desist his Prosecution, he then Petitioned the Lord Lieutenant against the Informant, and thereupon a Messenger was sent to the Earl of *Tyrone's* house first, which said Messenger told the said Earl, that he was ordered to take his directions from his Lordship for the securing of this Informant, and that

so soon as he should be taken, he was to be brought to the said Earl first. Whereupon the said Earl, to conceal his knowledg, where the Informant was, as though he were ignorant of the same, sent several of his Servants to search for him, though they all knew very well where this Informant was; having often sent some before. At length, after a long pretended search, coming into the aforementioned *Macnamara's* house (whither I was then return'd from *Waterford*) about Tenn or eleven a Clock at night, the said Earls Servants apprehended this Informant first, and bound him with Cords. In which condition the Informant seeing the Messenger, asked him whether he had any Warrant so to do? who said that he was but a Spectator only, and that the Earl of *Tyrone's* people were the Officers, and withal, the said Messenger bad the Informant to take his last leave, and farewell of his Friends.

Then they hurried this Informant away from Mr. *Macnamara's* house, four miles that night; the next morning they convey'd him out of the direct way to *Waterford*, to put the Informant to greater pains and trouble, and brought him in at the *West-Gate* of the said City of *Waterford*, and so all along the Street, bound as he was, until they came to the Cross, which is about the middle of the City, where they alighted, & carried this Informant into one Mr. *Guddriges* an Inkeepers house In which place they kept the Information the condition aforesaid, until they had gathered all the Earl of *Tyrone's* Friends, that were in that City, and all the Officers of the same, to see how they had hamper'd this Informant, and then, when they had satisfied the scorn and contempt of the Spectators, they procured a lame little Galloway without Shoos for this Informant to ride upon, and then tying this Infor-

Informants Legs under the said Galloways. Being with his hands tyed behind him, they carried him through the Town to be seen in division, where he had not been seen before, and so having shew'd this Informant from one end of the Town to the other for a second pastime to the Multitude, they then carried him away to the Earl of Tyrone's house, so bound as before, where the Earl had gathered together all his Friends and Neighbours, to see the Informant in that condition. Among the rest, the said Earls Mistress, by name Mrs. Mortimer, gave to the Messenger nine Cobs sterling; that she also might have a sight of this Informant in his ignominious entertainment, and at the mercy of his Enemy, then the Judge of his own Cause and in his own house.

After they had kept this Informant at the Earl of Tyrone's, after the manner aforesaid, to make sport for the space of two hours, then they carried him on the way to the next Garrison, which was Carrickmasbure. One Thomas Powrie, the Earl of Tyrone's Gentleman, who was at the apprehending of this Informant and one of his Guard, riding before to a place called Crehanough, where dwelt the forementioned Major John Butler. His business was to desire the said Butler to meet this Informant in the way to Carrickmasbure, which he accordingly did. When he came he asked the Informant what was the matter? As though he had not known before, who answered him that for his part he did not know. The said Major Butler then asked the Informant, whether he could be spoken to in private? This Informant made answer, that that place was no place for this Informant to talk in, being wet and dirty with riding so far in foul ways without Boots and his Legs eyed under the Horses Belly. With that the said Butler followed

followed this Informant to *Carrickmaskeare*, and brought with him Mr. *John Ronan*, before mentioned, and Quartermaster *Ely*. Upon their coming into this Informants Company at his Lodging in *Carrickmaskeare* aforesaid, the said Quartermaster *Ely*'s first Complement was, *That he knew the rest of the Company, but the Informant he knew not.* To which this Informant answered, that he knew this Informant well enough too if he pleased; but this Informant told him he was indifferent whether he did or no. Upon which he the said *Ely* said, he knew him this Informant so well, and that one Rope was too little for him.

Then Major *Butler* and Mr. *Ronan* fell to their old way of tampering with this Informant by turns, to which purpose the said Major *Butler* promised, that if the Informant would do as he the said *Butler* would have had him do before, he would follow the Informant next Morning to *Kilkenny*, and get him quit of all his Troubles for the future; that is to say, if he would take their former proffers, and excuse the forementioned Gentlemen. And the said Major farther told this Informant, that there were some People gone before him to *Kilkenny* that would be very glad to bring in those Gentlemen aforesaid to the saving of the Earl of *Tyrone*. But this Informant refused and scorned their offers notwithstanding the great shame and pain they put him to. Then Major *Butler* took this Informant by the hand and said, old friend, farewell now for evermore. Then Quarter-Master *Elie* began an Health to the Prosperity of the Earl of *Tyrone*, and to the confounding and utter subversion of all his Enemies, and forced the Health to go round.

This *Ely* is Quarter-Master to the Lord Lieutenant

tenant of *Ireland's Troop*, and charged by the afore-
said Mr. *Macnamara* in his Information, for being in
the Conspiracy with the Earl of *Tyrone*, and one that
was to have been a Major under the said Earl for the
French, and confessed he was a Papist heretofore.

From *Kilkenny* this Informant was carried to *Dub-
lin*, and then committed to the Messengers hands,
under a Guard of Musquetiers both night and day,
without the Liberty of Pen, Ink or Paper, or so much
as to speak to any body, but what the Guard should
understand, and in their presence; to wick end they
watched in the Informants Room all night. Under
which restraint, this Informant was closely kept for
several days, until he was examined by his good friend
the Lord-Chief-Justice *Keating*. Then he Petitioned
the Lord Lieutenant and Council, to send a Sum-
mons for the bringing in of Mr. *Sampson* and Mr. *Ivy*,
&c. to the end, they might give in their Evidences,
which the Informant alleaged were material. With-
in a fortnight after, those Gentlemen came to *Dublin*
but none of them could be admitted to come to see
the Informant, until they all had delivered their se-
veral Informations, and then this Informant had his
Liberty.

This Informant further saith, that he and the rest
of the Witnesses were then bound in Recognizance
to appear at *Waterford Assizes* next ensuing, which
was to be held the tenth day of *March* last past. The
Judges for that Circuit were Sir *Richard Reynolds*
and Sir *William Davis*.

When the Assizes came to be held, the Infor-
mant and the rest of the Witnesses appeared, and af-
ter the usual Ceremonies of the Court, the Grand
Jury was called, and then one Mr. *Porter* of the Earls
Council, a Papist, stood up, and made a short motion
to this effect.

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My Lords, here is a Peer of this Nation in Question for his Life, and then he prayed leave to appear for the Earl, which was granted for him, and Counsellour Long, another Papist.

When the Jury was called, and going to be sworn, Mr. Long stood up and said, I am for the party Impeached; and then both the Counsel and the Attornies of which there were three, craved liberty to accept against some of the Jury, which exceptions, were made against none but Protestants.

As for the Informant he had neither Counsel nor Attornies allowed him though often demanded the privilege, and though the Informant and the rest of the witnesses excepted against some of the Jury, as being of kindred and Tenants, and in particular against Paul Sherluck, Peirce Walch, and one Cary; yet upon their bare words denying themselves to be kindred or Tenants, they were admitted of the Jury, notwithstanding that this Informant knew they were either Related to the Plotters, or concerned in the Conspiracy.

After Dinner, the Informant went to the Judges Chambers, where the said Judges swore this Informant and the rest of the Witnesses, to attend the Grand Jury. In order whereunto, this Informant went, and after a tedious attendance at the Door of the Grand Jury Room, he prayed admittance, and desired to be heard. But the Jury told this Informant, they had seen all the Informations already, and had no Orders to hear any more new thing or matter.

The next morning, this Informant being in the Judges Chamber, in came Major Richards and Captain Grant, two of the Jury, who declared to Judge Reynolds, that the Bill against the Earl of Tyrone was found

found *Ignoramus*. Whereupon, Judg Reynolds ask'd Major Richards, whether they were all agreed to it? To which he answered, that seven were for finding the Bill, and ten against it, and so they were out-Voted. However, some of the Jury were pleased to say after, that they durst not. but agree with the rest, and that the Papists that were there threatned them in such a manner, that the Protestants durst not agree to what they would have them do. And so the next day the Jury brought in the Bill *Ignoramus*.

Upon that, this Informant desired that the Jury might be sent for into Court, and called over one by one; & that enquiry might be made concerning the persons, and which were of most Value as to the Kings Interest and the Protestant Religion, whether they that were for finding the Bill, or they that voted against it? Upon which, the Judges sent for the Jury, and ordered them to be called over one by one: but there were no other questions put to them, but only whether they were all agreed in their Verdict? To which, the foreman answered, they were agreed according to the way they commonly use in Juries, which was to put in to Votes. But whether it were true or no, that they left to the Judges: and so the Bill was receiv'd *Ignoramus*.

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*The Names of the Jurors
that were for finding
the Bill.*

*The names of them
that would not find
the Bill.*

<i>William Bolton</i>	<i>Ar.</i>	<i>Jaspar Grant</i>	<i>Ar.</i>
<i>Andrew Richards</i>	<i>Ar.</i>	<i>Peirce Walsh</i>	<i>Ar.</i>
<i>Thomas Osborn</i>	<i>Kt.</i>	<i>Tho. Neal</i>	<i>Gents</i>
<i>John Morris</i>	<i>Gent.</i>	<i>Robert Cook</i>	<i>Gent.</i>
<i>Robert Whitby</i>	<i>Gent.</i>	<i>Robert Cary</i>	<i>Ar.</i>
<i>John Stephens</i>	<i>Gent.</i>	<i>Michael Cary</i>	<i>Gent.</i>
<i>Henry Jaques</i>	<i>Gent.</i>	<i>Roger Cary</i>	<i>Gent.</i>
		<i>Paul Sherlock</i>	<i>Gent.</i>
		<i>Anthony Obryan</i>	<i>Gent.</i>
		<i>James Oldfield</i>	<i>Gent.</i>

*Queries touching the Earl of Tyrones, and
Mr. Bradleys Tryals.*

1. Whether all the Examinations taken against the said Earl, and Mr. Bradley, or either of them, befor the Lord Lieutenant and Council, on which the Lord Lieutenant and Council declared the Earl to be Guilty of High-Treason, should not have been delivered to the Grand Jury?

2. Whether the Evidence for the King ought not to have been heard by the Jury, when they were sworn to that intent?

3. Whether the Kings Evidence ought not to have had Council assign'd them, as well as the Party accused, who had both Council and Attornies granted him according to his own desire.

4. Whether the Bill could be found, or returned *Ignoramus*, twelve not agreeing thereto?

5. Whether all those Letters mentioned in the
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Examinations, should not have been sent for and examined, when desired by the Witnesses, for the strengthening their Evidence, especially when notice was given of the place where they might be had.

6. Whether those persons were fit Evidence for the King upon their Oathes, that gave it out they would clear the Party accused on their bare words?

7. Whether all that were charged should not have been taken into Custody and disarm'd.

8. Whether a person accused for several Treasons upon a Tryal for some, can be cleared at all, especially when all the Examinations were neither heard, nor all the Witnesses known to the Jury?

This Informant further saith, that when he found that neither he nor his Witnesses could be heard in *Ireland*, he came into *England*, and made his Appeal to the King and Council in *April* last, together with another of the Witnesses, Mr. *John Macnamara* by name. Which being done, this Informant and the said Mr. *Macnamara*, were by Order of the King and Council, commanded back into *Ireland*, having first entered into Bond to make their appearance in *Dublin*, before the Lord Lieutenant and Council within so many days after the date thereof; which we did accordingly, the last day of *April*, or very near it. Ever since which time, till our second return into *England*, this Informant and the other Witness were delaid and kept there in such a condition, that we could not be discharg'd of our attendance, nor be made use of as we desired. Neither could this Informant be allowed one Penny toward his charges and expences, though this Informant had been forced to keep several of his Witnesses for several Weeks at his own costs. It being the Design of the Conspirators to hinder this Informant

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from

from all necessary supply and encouragement, hoping that at length he might be laid in Jail for Debt, or that they might lay some train to accuse him of something that might amount to the taking away his life, or keeping him in perpetual imprisonment; which is the more likely, for that those devices not prevailing, they thought to have done their business by Assassination. For, this Informant further saith, that one day, as he was coming out of the Four Courts of Dublin, where John Power, the Earl of Tyrone's Cousin German, and a Purser, being also one that had been an Officer in France, together with no less then Thirty more, fell upon this Informant, without the least provocation given by him this Informant, or so much as speaking to them one word, but only at the instigation of the said John Power, who cry'd to the rest, *There goes that Rogue Bourke*. Upon which, as upon a signal given, they all, or as many as could come at him, lay'd at this Informant with all the fury imaginable, so that he was not only wounded and bruised in several places of his Head, but in most parts of his Body. And though this Informant cry'd often out for help, yet not one Person would stir to his Assistance, only a young man, that was with this Informant, kept off as many blows as he could, in so much that this Informant expected no other then Death, till at last espying a door open, he made a shift, as weak as he was, to retreat backward into an Entry, where he drew his Sword and kept them off till he got into the House: after which they had like to have murdered the young man before mentioned in revenge. Yet, all the remedy this Informant had, was to complain to Sir Robert Booth, Lord Chief Justice of the Kings Bench, who issued forth his Warrant for the apprehending

hending so many as we could tell the names of: Three were taken, the foresaid *John Powre*, *Richard Mansfield*, and *John Barry*, all Papists, (the rest running away and not being to be found) who were bound to answer the Fact, the next ensuing Term at the Court of Kings Bench, and in the mean time to be of the good Behaviour.

And this Informant further saith, that having after a tedious and chargeable cure, at length recovered himself, being unwilling to expose himself any more to the malice of such kind of Persons, he Petition'd the Lord Lieutenant for a Pass to come for *England*, which his Grace was pleas'd to refuse, saying, That the Informant had gone into *England* already without his Pass, and therefore he might go or stay as he pleas'd, but for his part he would give him none. So that this Informant was forced to come for *England* without it, for the preservation of his life, not daring to stay any longer in *Ireland*.

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hanging to many of we could tell the names of
Three were taken the late Lord John P... Richard
... and John ... (the rest run-
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And this Informant further said that having after
a tedious and chargeable suit, at length recovered
himself, being unwilling to keep to himself any more
to the matter of which he was a party, he petitioned
the Lord Lieutenant for a Pass to come for England,
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out his Pass, and therefore he might go or stay as he
pleased, but for his Pass he would give him none, so
that this Informant was forced to come for England
without it, for the preservation of his life, not dar-
ing to stay any longer in Ireland.

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